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Germany, Belgium, Denmark, France, and Holland limited their jurisdiction for the police of fisheries in bays to three miles beyond a line drawn across the bay at the first point nearest the entrance where the width does not exceed ten miles. This rule has also been adopted in the domestic legislation of France, Germany, Belgium, and Holland. And again, that in 1885 in a fisheries convention, Spain and Portugal limited their exclusive fishing rights to bays twelve miles wide at the entrance — a rule also recommended by the Institute of International Law, except in the case of large bodies of water where there has been a continued and well-recognized claim of sovereignty. In applying a rule in specific cases to particular bays the uniformity may not be so clear. Delaware Bay, fifteen miles wide at its mouth, was recognized in 1793 as within the jurisdiction of the United States; in 1885 Chesapeake Bay, twelve miles wide and two hundred miles long, was held not to be part of the high seas; in 1877 Conception Bay, twenty miles wide and fifty miles long, was held to be within the territory of Newfoundland; and Bristol Channel, five to forty-five miles wide and eighty miles long was held in 1859 to be, in part at least, within the territory of Great Britain. On the other hand, the Bay of Fundy, an open arm of the sea, seventy-five miles wide and one hundred and forty miles long, was held a part of the high seas by an umpire in 1853. He said that the word "bay" as applied to this great body of water has the same meaning as that applied to the Bay of Biscay and the Bay of Bengal over which no nation can have the right to assume sovereignty. It must be noted, however, as Mr. Gregory says, that the extreme headland on one side of this bay was within the territory of the United States.

Clearly in the present case, holding a bay in the shape of an eighty-mile equilateral triangle not part of the high seas, we have to face either a change in principle or a greatly extended application of the old rule. To define a principle underlying the cases is not easy. The three-mile limit was based upon the power of a state to control the waters from the shore. The Institute recommends that this limit be extended to six miles. A bay twelve miles wide at the mouth would thus be clearly within the territorial jurisdiction of a state. Even if it were somewhat wider but very long it might still fall within Sir Robert Phillimore's general principle that jurisdiction over bays is limited to those of which the adjoining county has something like physical command. It would require the loosest application of such a rule to cover Moray Firth. Furthermore, such an application should certainly be discouraged because it would encroach on the general benefit to be derived from the freedom of the high seas — a benefit which England herself insisted on in the Behring Sea case. More particularly, as Mr. Gregory says, the adoption of the doctrine of "kings chambers" by other nations would mean that the fishing grounds of the world would pass substantially into local control. It is significant that the loudest protest against such an extension of jurisdiction is shown to have come from the English fishermen.

THE RIGHT OF A PARENT TO THE SERVICES OF HIS CHILD. — There is always a vital interest in law as it touches the individual in his personal relations, and this perhaps is especially true of the law of parent and child. The day of paternal despotism is long past, but many questions as to the law which governs this relation are still unsettled. In a recent article Mr. John A. Ferguson calls attention to a few of these. *Some Doubtful Points Incident to the Relation of Parent and Child*, 4 Comm. L. Rev. 57 (November-December, 1906).

The author first points out the tendency of the courts to regard the performance of the ordinary parental services as mere moral duties imposing no legal obligation on the parent, and cites as an example the rule that a father is not obliged to maintain his child. He then points out the relation of this rule to the right of the parent to the services and earnings of the child, and to the further possibility of recovery by the child of the value of its services. And it is intimated that, since the parent owes no duty to support,

the conception of compensation for maintenance, which is sometimes said to be the basis of the child's duty, is untenable. Also, to show that the father is not legally entitled to the child's services it is cited that a child can make a valid contract of service with its father and therefore, the author suggests, that logically the legal right to the services is in the child, else there would be no consideration for the father's promise. Yet the author weakly concludes that since it would be as reasonable to imply a contract on the part of the child to pay for its maintenance as to imply a contract by the parent to pay for the services, and since recognition of these rights would give rise to embarrassing mutual claims, it is better to say that all service rendered and support received must be referred to natural love and affection. As to the child's right to its earnings, however, the author is not so easily satisfied. He calls attention to the fact that the right of a child to general property is recognized as absolute, and again suggests that a moral obligation in the parent should not beget a legal obligation in the child.

The assumption made that the application of these rules is entirely consistent in America because here a legal duty to support is recognized, is hardly warranted. Here, as in England, legislatures have commonly made it a penal offense to neglect to support minor children, and a few statutes expressly declare it to be the father's duty to support children until they are of age.[1] Under the common law of the nine states which have passed squarely on the question only three seem to have definitely accepted the view that the parent owes a legal duty to support.[2] Despite this absence of mutuality, however, the right of the parent to the services and earnings of his child is universally recognized. Although it seems never to have been held that a refusal to render services to a parent is a basis for recovering damages against the child's property, the legal right of the father is established by a long list of cases sustaining contracts for children's services made by parents in their own right, and of others permitting fathers or their creditors to recover the earnings of the child from its employer.[3] This failure to demand a mutuality of obligation is readily accounted for by the historical development of the law of this relation. The argument that the validity of the contract of service between parent and child shows that the father has not a legal right, is unsound. That right to contract rests on the doctrine of emancipation. The emancipation of a child before majority may be achieved by the mere consent of the parent that the child shall thereafter be its own master,[4] and such consent may be inferred from the conduct of the parties.[5] A promise by a father of payment to his child for services to be rendered is very potent evidence of such consent and that the legal right to the services has come to the child. A situation in which the child could reasonably hope to recover from the parent the value of services rendered is, in the absence of such express contract, not likely to arise, for the intent in such situations is usually donative, the *animus contrahendi* being rarely, if ever, present.

ADMIRALTY JURISDICTION OVER MARITIME TREATY RIGHTS. *Anon.* Discussing a recent case denying jurisdiction over a vessel on a river between the United States and Canada. 43 Can. L. J. 345.

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[1] 1 Stimson, Am. Statute Law, § 6608.

[2] Stanton *v.* Willson, 3 Day (Conn.) 37; Porter *v.* Powell, 79 Ia. 151; Pretzinger *v.* Pretzinger, 45 Oh. St. 452. See Lamson *v.* Varnum, 171 Mass. 237; Weeks *v.* Merrow, 40 Me. 151; Keaton *v.* Davis, 18 Ga. 457.

[3] See 21 Am. & Eng. Encyc., 2 ed., 1040, 1043.

[4] Atwood *v.* Holcomb, 39 Conn. 270.

[5] Beaver, Bare & Co. *v.* Bare, 104 Pa. St. 58.

BANK ACCOUNTS WITH MINORS. *Thornton Cooke.* Arguing that banks are protected in making such accounts. 24 Banking L. J. 433.

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EQUITABLE LIFE ASSURANCE SOCIETY: A POSSIBLE REMEDY TO CANCEL THE STOCK CONTROL. *Robert Rentone Reed.* Comparing the policy holders to *cestuis que trustent.* 19 Green Bag 399.

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INTERNATIONAL LAW, THE DEVELOPMENT OF. *Richard Olney.* An historical sketch. 1 Am. J. of Int. L. 418.

INTERNATIONAL UNIONS AND THEIR ADMINISTRATION. *Paul S. Reinsch.* An exhaustive treatise on international conventions for economic and business purposes. 1 Am. J. of Int. L. 579.

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PATENTS, THE PROTECTION OF UNUSED. *Paul Bakewell.* Maintaining that equity should give protection. 19 Green Bag 406. See 20 HARV. L. REV. 638.

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TAXATION OF BANK CAPITAL, EXEMPTION OF UNITED STATES SECURITIES FROM THE. *Anon.* 24 Banking L. J. 417.

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VARIANCE ON APPEAL, TAKING ADVANTAGE OF. *Albert Martin Kales.* Analyzing the Illinois cases. 2 Ill. L. Rev. 78.

II. BOOK REVIEWS.

DUE PROCESS OF LAW UNDER THE FEDERAL CONSTITUTION. By Lucius Polk McGehee. Northport, N. Y.: Edward Thompson Co. 1906. pp. 451. 8vo.

"I have long thought," wrote Prof. John C. Gray twenty years ago in the preface to his classic Rule against Perpetuities, "that in the present state of legal learning a chief need is for books on special topics, chosen with a view,